

# **CORRECTED FISCAL NOTE**

## **HB 3147 - SB 3539**

April 8, 2008

**SUMMARY OF BILL:** Expands court authority when appointing an attorney for a juvenile and authorizes the court to assess and collect an administrative fee from an indigent adult for whom counsel was appointed in proceedings involving child abuse prosecutions, contributing to the delinquency, unruly behavior, or dependency and neglect of a minor, violation of compulsory school attendance, contempt, and termination of parental rights.

### **ESTIMATED FISCAL IMPACT:**

On February 25, 2008, we issued a fiscal note indicating *an increase in state revenue exceeding \$163,700, an increase in state expenditures of \$130,200, and increase in local revenue of \$8,600, and a not significant increase in local expenditures*. Based on additional information provided by the Administrative Office of the Courts, the fiscal impact of this bill is as follows:

#### **(CORRECTED)**

**Increase State Revenue – Exceeds \$163,700**

**Increase State Expenditures - \$17,500/General Fund**

**\$112,700/Indigent Defense Fund**

**Increase Local Revenue – Exceeds \$8,600**

**Increase Local Expenditures – Not Significant**


#### **Assumptions:**

- Under Supreme Court Rule 13, the Administrative Office of the Courts (AOC) currently compensates attorneys appointed for juveniles in a juvenile court in delinquent cases and cases in which the juvenile has been charged upon the 3rd or subsequent unruly offense. The AOC also compensates appointed attorneys for juveniles in dependency and neglect cases.
- In FY06-07, AOC expended \$37,568.92 for appointed attorneys in unruly cases. AOC estimates that this legislation will quadruple the attorney appointments resulting in an increase in Indigent Defense Fund expenditures of \$112,706.76 (\$37,568.92 x 3).

- AOC Claims Statistics for FY06-07 shows 2,934 claims for parent's attorney for dependency, neglect, and abuse proceedings and 512 claims for termination of parental rights resulting in a total of 3446 (2,934 + 512) claims.
- AOC will need a part-time claims processor resulting in an increase in expenditures of \$17,500.
- The administrative fees range from \$50 to \$200 per claim which will result in a minimum increase in revenue of \$172,300 (\$50 x 3446).
- The bill requires five percent of administrative fees collected stays with the court clerk and 95 percent is sent to the state resulting in an increase in local revenue exceeding \$8,615 and state revenue exceeding \$163,685
- Any impact to the caseloads of the juvenile courts is estimated to be not significant and can be accommodated within existing local resources.

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director

/kml